

Message Text

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ACTION PM-05

INFO OCT-01 EUR-12 ISO-00 CIAE-00 INR-10 NSAE-00 L-03
EB-08 DODE-00 MCE-00 PA-01 CG-00 DOTE-00 /040 W
-----012095 100134Z /66
R 091315Z JUN 78
FM AMEMBASSY OSLO
TO SECSTATE WASHDC 5979

C O N F I D E N T I A L SECTION 1 OF 2 OSLO 2863

E.O. 11652: GDS
TAGS: ETEL, MARR, PINT, NO
SUBJ: PARLIAMENTARY ACCESS TO CLASSIFIED LORAN C DOCUMENTS

1. WE RECEIVED THE FOLLOWING NOTE FROM THE FOREIGN MINISTRY
JUNE 8 REQUESTING OUR REACTION (BY JUNE 16) TO THEIR MAKING
SEVERAL CLASSIFIED LORAN C RELATED DOCUMENTS AVAILABLE TO A LAWYER
EMPLOYED BY A PARLIAMENTARY AD HOC COMMITTEE PRESENTLY CONSIDERING
THE IMPEACHMENT OF TWO FORMER MEMBERS:

BEGIN TEXT:

STANDARD OPENING

THE PRESIDENTS OF THE NORWEGIAN STORTING (PARLIAMENT)
HAVE, IN LETTERS OF APRIL 6 AND MAY 9, 1978, ASKED IF THE MFA WOULD
ALLOW PROFESSOR DR. JURIS TORSTEIN ECKHOFF
BE PERMITTED TO STUDY SOME CLASSIFIED DOCUMENTS CONCERNING
THE LORAN-C NAVIGATION SYSTEM. PROFESSOR ECKHOFF IS TO
ASSIST MR. STEIN ORNHOI, (SOCIALIST LEFT) MEMBER OF PARLIAMENT IN
CONSIDERING WHETHER THE AGREEMENT BETWEEN NORWAY AND THE UNITED
STATES OF AMERICAN CONCERNING THE ESTABLISHMENT OF LORAN-C STATIONS
IN NORWAY HAS BEEN CONCLUDED IN ACCORDANCE WITH THE
NORWEGIAN CONSTITUTION. MR. ORNHOI IS A MEMBER OF THE AD HOC
PROTOCOL COMMITTEE OF THE ODELSTING (THE FIRST CHAMBER OF THE
STORTING) WHICH IS CONSIDERING THE QUESTION
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OF A STATE IMPEACHMENT OF TWO FORMER MEMBERS
OF THE STORTING BECAUSE OF THEIR RELEASE OF CLASSIFIED
INFORMATION CONCERNING THE ESTABLISHMENT OF LORAN-C
MEGA IN NORWAY.

TWO OF THE DOCUMENTS THAT ARE DESIRED FOR EXAMINATION
BY PROFESSOR ECKHOFF, ARE COVERED BY THE EXCHANGE OF NOTES

OF FEBRUARY 26, 1970, BETWEEN THE NORWEGIAN FOREIGN MINISTER AND THE AMBASSADOR OF THE UNITED STATES OF AMERICA TO NORWAY CONCERNING THE SAFEGUARDING OF CLASSIFIED INFORMATION COMMUNICATED BETWEEN THE GOVERNMENTS OF THE TWO COUNTRIES.

THE TWO DOCUMENTS ARE:

- AGREED DRAFT MEMORANDUM OF UNDERSTANDING OF JANUARY 19, 1959, CONCERNING THE INSTALLATION OF A LORAN-C TRANSMITTING STATION AT KLEPPVELVEN, NORWAY, AND LORAN-C MONITOR STATIONS AT THE JAN MAYEN ISLAND AND AT HOLMSTAD, NORWAY. THE DOCUMENT IS CLASSIFIED AS SECRET.
- EXCHANGE OF NOTES OF JANUARY 28, 1959, BETWEEN THE NORWEGIAN FOREIGN MINISTER AND THE AMBASSADOR OF THE UNITED STATES OF AMERICA TO NORWAY CONCERNING THE ESTABLISHMENT OF A LONG RANGE RADIO AID TO NAVIGATION (LORAN-C) STATION AND RELATED FACILITIES IN NORWAY. THE EXCHANGE OF NOTES IS CLASSIFIED AS SECRET.

THE MINISTRY OF FOREIGN AFFAIRS MAY CONSENT TO MAKING THESE DOCUMENTS AVAILABLE TO PROFESSOR ECKHOFF FOR THE STATED PURPOSE PROVIDED THAT HE BE AUTHORIZED FOR ACCESS TO SECRET INFORMATION. THE MINISTRY WOULD APPRECIATE BEING INFORMED WHETHER THE GOVERNMENT OF THE UNITED STATES OF AMERICA HAS ANY OBJECTIONS TO SUCH RELEASE OF THE TWO DOCUMENTS. AS THE MATTER IS URGENT, THE EMBASSY'S REPLY CONFIDENTIAL

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IS REQUESTED BY JUNE 15, 1978.

STANDARD CLOSING. END TEXT.

2. COMMENT: THE CURRENT INVESTIGATIONS BY THE PARLIAMENT WHICH LED TO THE MFA'S REQUEST WERE OCCASIONED BY THE IMPEACHMENT CHARGES AGAINST TWO FORMER PARLIAMENTARIANS BERGE FURRE, AND FINN GUSTAVSEN, BOTH MEMBERS OF THE SOCIALIST LEFT PARTY, FOR RELEASE OF THE SECRET LORAN C SCHEI REPORT IN AUGUST OF 1977. THE REPORT WAS LATER PUBLISHED BY PAX PRESS. ONE MEMBER OF THE INTER-PARTY INVESTIGATING COMMITTEE, STEIN ORNHOI (SOCIALIST LEFT) HAS ASKED THAT A CONSTITUTIONAL LAWYER DR. ECKHOFF BE ALLOWED ACCESS TO THE DOCUMENTS MENTIONED IN THE MINISTRY'S NOTE IN ORDER TO BEGIN EVALUATING A CONSTITUTIONAL POINT RAISED BY FURRE AND GUSTAVSEN IN THEIR DEFENSE. BOTH FURRE AND GUSTAVSEN HAVE MAINTAINED THAT ARTICLE 100 OF THE NORWEGIAN CONSTITUTION (QUOTE FRANK UTTERANCES ABOUT THE STATE ADMINISTRATION AND ANY OTHER OBJECT WHATEVER ARE PERMITTED FOR ALL END QUOTE) PERMITTED THEM TO RELEASE THE LORAN C MATERIAL IN ORDER TO PREVENT QUOTE THE HOODWICKING OF THE STORTING BY FALSE ASSERTIONS ABOUT SECURITY OF THE REALM END QUOTE. HOWEVER, ORNHOE AND HIS PARTY'S PAST PERFORMANCE LEAD US TO CONCLUDE THAT THEY WILL MAKE

WHATEVER USE THEY WANT OF THE INFORMATION AND IN FACT
MAY ASK FOR MORE.

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ACTION PM-05

INFO OCT-01 EUR-12 ISO-00 EB-08 L-03 MCE-00 CIAE-00
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C O N F I D E N T I A L SECTION 2 OF 2 OSLO 2863

3 WE BELIEVE THERE ARE TWO MAJOR POINTS THAT SHOULD BE
BORNE IN MIND WHEN CONSIDERING THE GON'S REQUEST; THE MFA
DOES NOT PLAN TO DECLASSIFY THE DOCUMENTS IN QUESTION BUT
ONLY TO GIVE ECKHOFF A SECURITY CLEARANCE THAT WILL ALLOW
HIM ACCESS TO THE MATERIAL (AND THEREFORE THE EXCHANGE OF
NOTES OF FEBRUARY 26, 1970 CONCERNING THE SAFE GUARDING OF
CLASSIFIED INFORMATION WOULD NOT SEEM TO APPLY), AND
THE ESSENTIAL ELEMENTS OF BOTH DOCUMENTS HAVE ALREADY BEEN
PUBLISHED EITHER IN THE PAX VOLUME OR IN FURRE AND GUSTAVSEN'S
PRESENTATIONS TO THE STORTING LAST SUMMER.

4. THE MINISTRY HAS ASKED THAT WE GIVE THEM A RESPONSE
BY JUNE 16 IN ORDER FOR THEM TO MEET THEIR PROMISE TO THE
PRESIDENT OF THE STORTING. THE URGENCY
IS CAUSED BY THE FACT THAT THE MFA HAS DITHERED WITH THE REQUEST
SINCE APRIL AND AN AGGRAVATED PARLIAMENT WANTS AN ANSWER.
WE POUCHED THE NOTES AND COPIES OF THE DOCUMENTS JUNE 9.
WE WOULD SUGGEST THAT AFTER REVIEWING THEM, UNLESS THE DEPART-
MENT PERCEIVES ADDITIONAL PROBLEMS ARISING
OUT OF A FURTHER AIRING OF THE MATERIAL ALREADY INTRODUCED
INTO THE PUBLIC DOMAIN LAST AUGUST, WE BE AUTHORIZED TO
SAY THAT THE US CONCURS WITH DR. ECKHOFF BEING GIVEN ACCESS
TO THE MATERIAL UNDER THE CONDITIONS STIPULATED IN THE NOTE
OF JUNE 8, 1978.
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Message Attributes

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